

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

<b>CSP TECHNOLOGIES, INC.,</b>	)	
<b>et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>vs.</b>	)	<b>CASE NO. 3:06-cv-587</b>
	)	
<b>SÜD-CHEMIE, A.G.; SÜD-CHEMIE,</b>	)	
<b>INC., and AIRSEC S.A.,</b>	)	
	)	
<b>Defendants.</b>	)	

**UNOPPOSED MOTION FOR EXTENSION OF TIME  
TO RESPOND TO COMPLAINT**

Without opposition from Plaintiffs, and consistent with an agreement of the parties, Defendant Süd-Chemie, Inc. moves for an extension of time to answer or otherwise respond to the complaint, and for other related relief, on the following grounds:

1. This is a complex action involving antitrust and RICO-based allegations brought against three defendants, including two foreign companies (French and German, respectively), which have not yet been served.

2. The movant, Süd-Chemie, Inc. was served on October 13, 2006, and its response to the complaint is accordingly due November 2, 2006.

3. Because of the complex nature of this action and the fact that counsel who have not previously represented Süd-Chemie, Inc. will be appearing on its behalf, additional time is necessary to adequately evaluate the complaint, collect the pertinent background facts and information, consult with the client, and prepare an appropriate response.

4. In addition, to avoid the Plaintiffs being required to serve the French and German defendants (Airsec S.A. and Süd-Chemie, A.G., respectively) under the formal terms of the Hague Convention, undersigned counsel have agreed to accept service for those defendants as part of the agreement for the requested extension. The agreement calls for responses from all three defendants to be due by January 2, 2007. It is reasonable to assume that, in the absence of formal service being waived, service on the foreign defendants would not be perfected for a number of weeks, after which those defendants would have the normal time to respond. Counsel understands, moreover, that this Court's practice is to enter its Rule 26(f) order only after all defendants have been served and appeared.

5. For these reasons, the ultimate progress or resolution of this case will not be delayed by (i) an extension of time, to and including January 3, 2007 for Süd-Chemie, Inc. to respond to the complaint and (ii) an order that the other defendants respond by that same date.

6. Undersigned counsel has discussed the requested extension with Plaintiffs' counsel, reached the agreement described herein, and is authorized to represent to the Court that Plaintiffs do not oppose this motion.

WHEREFORE, defendant Süd-Chemie, Inc. moves for an extension of time, to and including January 3, 2007, to answer or otherwise respond to the complaint. The Court is requested also to implement the parties' agreement by setting the deadline for the two foreign defendants' responses at January 3, 2007 as well.

Respectfully submitted this 2<sup>nd</sup> day of November, 2006.

s/David R. Boyd  
One of the Attorneys for Defendant  
Süd-Chemie, Inc.

OF COUNSEL:

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**CERTIFICATE OF SERVICE**

I certify that on November 2, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following and/or that a copy of the foregoing has been served upon the following by United States Mail, properly addressed and postage prepaid to the following:

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s/David R Boyd  
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